UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/078,505	02/21/2002	Hirokazu Takatama	8009-2001	4696

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EXAMINER
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ART UNIT	PAPER NUMBER
2194	

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/078,505	TAKATAMA ET AL.
	Examiner	Art Unit	
	Andy Ho	2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _15 July 2005_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-65_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-65_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _2/8/05_.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

1. This action is in response to the amendment filed 7/15/2005.

2. Claims 1-19 and 21-65 have been examined and are pending in the

application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-19 and 21-65 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Landsman U.S Patent No. 6,785,659 in view of Greenberg U.S

Publication No. 2001/0038624.

As to claim 1, Landsman teaches a network system (Fig. 1B), comprising:

a network application server (distributed HTTP server 15, Fig. 1B);

a terminal equipment (client 5, Fig. 1B) including plug-in means for plugging an

application execution script downloaded from said network application server (client 5

downloads Java applet from the distributed HTTP server 15, lines 53-62 column 16).

Landsman does not explicitly teach connection state variation detection and

connection state control. However, Landsman teaches (line 14 column 38 to line 20

column 39) a Transition Sensor applet having methods that respond to the events from

browser. Once detecting an event from the browser, this Transition Sensor applet would connect or disconnect the communication with the server, since a particular event from the browser allows the Transition Sensor applet to stop or start downloading files from the server. Therefore one of ordinary skill in the art would conclude that the Transition Sensor applet of Landsman performs the functions of detecting and controlling the changes in connection state of the terminal equipment.

Landsman further does not teach using the script to communicate with other terminal equipment.

Greenberg teaches (paragraph 0011 page 1) a system of telephone communication wherein a script is downloaded from a server to a client, using as a Internet-based telephone device. The client executed the downloaded script and used it to communicate with other Internet-based telephone devices. It would have been obvious to apply the teachings of Greenberg to the system of Landsman because downloading the script, the client device could use it to establish communication with other devices without the intervention from the server as disclosed by Greenberg (paragraph 0011 page 1).

As to claim 2, Landsman as modified further teaches a database (local hard disk cache, line 59 column 16), and wherein said plug-in means records time for which the application execution script is executed into said database (...client-side information can be measured and included in each entry, such as: an amount of time during which the advertisement was rendered by the browser..., lines 40-43 column 13). Greenberg

teaches the use of the script within a Internet-based telephone system. Note the

discussion of claim 1 above for the reasons of combining references.

As to claim 3, Landsman teaches a network system (Fig. 1B), comprising:

a network application server (distributed HTTP server 15, Fig. 1B);

a terminal equipment (client 5, Fig. 1B);

said network application server (distributed HTTP server 15, Fig. 1B) including an

application storage section for storing an application execution script (server stores files

that implement the Java applet, lines 53-56 column 16) for a concentrated switched

network, a subscriber information storage section for storing corresponding

relationships between subscribers and network applications used by the subscribers

(user preference or other user-specific information, lines 11-14 column 21), a

subscriber/application information management section for managing said application

storage section and said subscriber information storage section (ad management

system, lines 9-10 column 21), and a data transmission/reception section for

exchanging data with said terminal equipment (interface for transferring the applet to the

client, lines 53-62 column 16);

said terminal equipment (client 5, Fig. 1B) including an application storage

section (local hard disk cache, line 59 column 16) for storing the application execution

script downloaded from said network application server (client 5 downloads Java applet

from the distributed HTTP server 15, lines 53-62 column 16), an application control

section for executing a network application and managing said application storage

section (browser executes the script, lines 60-61 column 17), a state variation detection

section for supervising an event designated by the network application and issuing, the

event occurs, a notification of the occurrence of the event to said application control

section (...the Transition Sensor applet, through associated click-stream monitoring

performed by a Transition Sensor implemented by this applet, determines when a user

situated at client browser 7 undertakes an affirmative action, such as, e.g., causing a

mouse click, to request a next successive web page be downloaded and rendered, and

so notifies the AdController agent of that event. This event signals a start of an ensuing

interstitial interval..., lines 52-60 column 25), a call state storage section (420, Fig. 4) for

storing a call state (calls from the browser to the Transition Sensor applet, line 14

column 38 to line 20 column 39) of said terminal equipment (client 5, Fig. 1B) and

another terminal equipment of the other party (web server 13, Fig. 1B) of the

communication, and a data transmission/reception section for exchanging data

(communication interface, line 31 column 24) with the terminal equipment of the other

party (web server 13, Fig. 1B) and said network application server (distributed HTTP

server 15, Fig. 1B).

Landsman does not explicitly teach connection state control section. However,

Landsman teaches (line 14 column 38 to line 20 column 39) a Transition Sensor applet

having methods that respond to the events from browser. Once detecting an event from

the browser, this Transition Sensor applet would connect or disconnect the

communication with the server, since a particular event from the browser allows the

Transition Sensor applet to stop or start downloading files from the server. Therefore

one of ordinary skill in the art would conclude that the Transition Sensor applet of

Landsman performs the function of controlling the changes in connection state of the

terminal equipment.

Landsman further does not teach using the script to communicate with other

terminal equipment.

Greenberg teaches (paragraph 0011 page 1) a system of telephone

communication wherein a script is downloaded from a server to a client, using as a

Internet-based telephone device. The client executed the downloaded script and used it

to communicate with other Internet-based telephone devices. It would have been

obvious to apply the teachings of Greenberg to the system of Landsman because

downloading the script, the client device could use it to establish communication with

other devices without the intervention from the server as disclosed by Greenberg

(paragraph 0011 page 1).

As to claim 4, Landsman as modified further teaches an application

programming interface (Ad loader API 1310, Fig. 13) for a concentrated switched

network to control said call state storage section and said connection state control

section (line 60 column 34 to line 30 column 35).

As to claim 5, Landsman as modified further teaches a function of detecting an

event and issuing a notification of the occurrence of the event to the application

execution script (...the Transition Sensor applet, through associated click-stream

monitoring performed by a Transition Sensor implemented by this applet, determines

when a user situated at client browser 7 undertakes an affirmative action, such as, e.g.,

causing a mouse click, to request a next successive web page be downloaded and

rendered, and so notifies the AdController agent of that event. This event signals a start of an ensuing interstitial interval..., lines 52-60 column 25).

As to claim 6, Landsman as modified further teaches a function of causing the application execution script to place said terminal equipment into a connection state and a communication state (Create and Start Ad Pipeline 820, Fig. 8).

As to claim 7, Landsman as modified further teaches a function of causing the application execution script to control the connection state of said terminal equipment (steps 1920 and 1923, Fig. 19).

As to claim 8, Landsman as modified further teaches a function of causing the application execution script to interact with a user through said terminal equipment (browser executes the applet via interaction with the user, line 53 column 16 to line 6 column 17).

As to claim 9, Landsman as modified further teaches a function of causing the application execution script to access said network application server (...in response to a start event generated by the browser, resumes background downloading of advertisement files..., ,lines 45-48 column 38).

As to claim 10, Landsman as modified further teaches a function of causing the script to call a process of a concentrated server (applet starts downloading the files from the server, lines 62-65 column 16).

As to claim 11, Landsman as modified further teaches a function of ending an execution state of the application execution script (stop method, lines 15-18 column 38).

As to claim 12, it is a computer system claim of claim 3. Therefore, it is rejected

for the same reasons as claim 3 above. Landsman as modified further teaches a

database (local hard disk cache, line 59 column 16) connected to data

transmission/reception section of said terminal equipment (connection of

communication interface 350 and memory 330, Fig. 3).

As to claims 13-19 and 21, they are computer system claims of claims 4-10 and

2, respectively. Therefore, they are rejected for the same reasons as claims 4-11 and 2

above.

As to claims 22-31, they are computer system claims of claims 1 and 3-11,

respectively. Therefore, they are rejected for the same reasons as claims 1 and 3-11

above.

As to claim 32, it is a computer system claim of claims 3 and 12. Therefore, it is

rejected for the same reasons as claims 3 and 12 above.

As to claims 33-41, they are computer system claims of claims 4-11 and 2,

respectively. Therefore, they are rejected for the same reasons as claims 4-11 and 2

above.

As to claims 42-43, they are method claims of claims 1-2, respectively.

Therefore, they are rejected for the same reasons as claims 1-2 above.

As to claim 44, Landsman teaches an execution method includes a network

application server (distributed HTTP server 15, Fig. 1B) and a terminal equipment (client

5, Fig. 1B), comprising:

downloading a network application from said network application server into said

terminal equipment (client 5 downloads Java applet from the distributed HTTP server

15, lines 53-62 column 16);

starting up the network application (browser executes the script, lines 60-61

column 17), monitoring communication status with another terminal equipment (line 14

column 38 to line 20 column 39); and

ending the execution of the network application when a particular operation is

performed (stop method, lines 15-18 column 38).

Landsman does not explicitly teach setting up a trigger for starting the network

application. However, Landsman teaches (line 14 column 38 to line 20 column 39) a

Transition Sensor applet having a method that responds to an event from the browser.

Once detecting the event from the browser, this Transition Sensor applet would

command the Java applet downloaded from the server to be executed. Therefore one

of ordinary skill in the art would conclude that the Transition Sensor applet of Landsman

is a trigger for starting the execution of the network application.

Landsman further does not teach using the downloaded network application to

communicate with other terminal equipment.

Greenberg teaches (paragraph 0011 page 1) a system of telephone

communication wherein a script is downloaded from a server to a client, using as a

Internet-based telephone device. The client executed the downloaded script and used it

to communicate with other Internet-based telephone devices. It would have been

obvious to apply the teachings of Greenberg to the system of Landsman because

downloading the script, the client device could use it to establish communication with other devices without the intervention from the server as disclosed by Greenberg (paragraph 0011 page 1).

As to claims 45-46, Landsman as modified further teaches setting up another trigger when a trigger is fired (lines 19-43 column 38).

As to claim 47, Landsman as modified further teaches using the switching on of the power supply as a trigger to start up a network application for allowing selection from among services which can be used by said terminal equipment (lines 30-54 column 24); transmitting subscriber identification information from said terminal equipment to said network application server (user preference or other user-specific information, lines 11-14 column 21); preparing a list of network applications which can be used by a user of said terminal equipment based on the subscriber identification information by said network application server and transmitting the list from said network application server to said terminal equipment (lines 13-41 column 23); selecting one of the network applications from within the list by the user of said terminal equipment and downloading the selected network application from said network application server to said terminal equipment (client 5 downloads Java applet from the distributed HTTP server 15, lines 53-62 column 16).

As to claim 48, Landsman as modified further teaches storing the network application downloaded from said network application server into said terminal equipment (client 5 downloads Java applet from the distributed HTTP server 15 and stores it in a local hard disk cache, lines 53-62 column 16).

As to claim 49, Landsman as modified further teaches issuing an inquiry to a user regarding whether or not the network application may be started up (line 41 column 1 to line 27 column 2).

As to claim 50, it is a method claim of claim 49. Therefore, it is rejected for the same reasons as claim 49 above. Landsman as modified further teaches the second trigger is set only when the user consents to starting up of the network application (lines 19-43 column 38).

As to claims 51-52, they are method claims of claims 50 and 2, respectively. Therefore, they are rejected for the same reasons as claims 50 and 2 above.

As to claims 53-63, they are method claims of claims 1-2 and 44-52, respectively. Therefore, they are rejected for the same reasons as claims 1-2 and 44-52 above.

As to claim 64, it is a system claim of claims 1-2. Therefore, it is rejected for the same reasons as claims 1-2 above.

As to claim 65, it is a system claim of claims 1-2. Therefore, it is rejected for the same reasons as claims 1-2 above.

Response to Arguments

4. Applicant's arguments filed 7/15/2005 have been fully considered but are moot in view of the new ground(s) rejection.

Applicant's arguments presented issues which required the Examiner to further view the previous rejection. The Examiner conducted a further search regarding the

issues mentioned in Applicant's response. Therefore, all arguments regarding the cited references of the previous rejection are moot in view of the new grounds of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy Ho whose telephone number is (571) 272-3762. A voice mail service is also available for this number. The examiner can normally be reached on Monday – Friday, 8:30 am – 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIM) system. Status information for published applications may be obtained from either Private PAIR or' Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Any response to this action should be mailed to:

Commissioner for Patents

P.O Box 1450

Alexandria, VA 22313-1450

Or fax to:

* AFTER-FINAL faxes must be signed and sent to (571) 273 - 8300.

* OFFICAL faxes must be signed and sent to (571) 273 - 8300.

* NON OFFICAL faxes should not be signed, please send to (571) 273 – 3762

A.H
October 3, 2005

SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100